

12-20-00

A

UTILITY PATENT APPLICATION TRANSMITTAL  
(for Noncontinuing Nonprovisional  
Applications under 37 C.F.R. §1.53(b))

Attorney Docket No. 69570



Box PATENT APPLICATION  
Commissioner of Patents and Trademarks  
ATTENTION: Assistant Commissioner  
for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EL452076990US

Date of Deposit December 19, 2000

I hereby certify that this paper or fee is being  
deposited with the United States Postal Service  
"Express Mail Post Office to Addressee" Service  
under 37 CFR §1.10 on the date indicated above and  
is addressed to the Commissioner of Patents and  
Trademarks, Washington, D.C. 20231.

Dominic Vesseli  
(Typed or printed name of person mailing)

Dominic Vesseli  
(Signature of person mailing)

Sir:

Transmitted herewith for filing  
under 37 C.F.R. §1.53(b) is the  
nonprovisional, noncontinuing  
patent application for:

Title: METHOD AND APPARATUS FOR  
PROCESSING AN IMAGE OF A  
TISSUE SAMPLE MICRORARRAY

First Named Inventor or  
Application Identifier: James W. Bacus

- (X) 23 pages of the specification (including claims) are enclosed.
- (X) 15 sheet(s) of drawings are enclosed. ( ) Formal (X) Informal
- ( ) An executed Oath or Declaration and Power of Attorney naming the actual inventors is enclosed.
- ( ) The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted Oath or Declaration and Power of Attorney (§1.41(a) and §1.53(b)).
- ( ) An Assignment(s) of the invention to \_\_\_\_\_, and cover sheet are enclosed.
- ( ) A check in the amount of \$\_\_\_\_\_ to cover the fee for recording the assignment(s) is enclosed.
- ( ) A 37 C.F.R. §3.73(b) Statement is enclosed (where an Assignee seeks to take action in a matter before the Patent Office).
- ( ) An Information Disclosure Statement is enclosed.
- ( ) A Form PTO-1449 is enclosed.
- ( ) \_\_\_\_\_ References (copies) listed on the Form PTO-1449 are enclosed.
- (X) A Return Receipt Postcard is enclosed (MPEP §503).

( ) Priority of application number        /        filed on        in        is claimed under 35 U.S.C. §119.

( ) A certified copy of the priority document is enclosed.

(X) A Request and Certification under 35 U.S.C. 122(b)(2)(B)(i) is enclosed (requesting that application not be published).

( ) A MicroFiche Computer Program (Appendix) is enclosed.

( ) A Nucleotide and/or Amino Acid Sequence Submission is enclosed.

( ) A Computer Readable Copy is enclosed.

( ) A Paper Copy (Identical to Computer Copy) is enclosed.

( ) A Statement Verifying Identity of above Copies is enclosed.

(X) The filing fee is calculated below:

Fee Calculation For Claims As Filed

(a) Basic Fee						\$ 710.00
(b) Independent Claims	<u>4</u>	-	<u>3</u>	=	<u>1</u>	x \$ 80.00 = \$ <u>80.00</u>
(c) Total Claims	<u>16</u>	-	<u>20</u>	=	<u>-0-</u>	x \$ 18.00 = \$ <u>0.00</u>
(d) Fee for Multiply Dependent Claims						\$270.00 \$ <u>      </u>
					Total Filing Fee	\$ <u>790.00</u>

( ) Small Entity is claimed, reducing the Filing Fee by half to: \$       

( ) A check in the amount of \$        to cover the filing fee is enclosed.

( ) Charge \$        to Deposit Account No. 06-1135.

(X) The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.

( ) A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

( ) Also enclosed:

(X) Address all future communications to Customer Number 22242.



FITCH, EVEN, TABIN & FLANNERY  
Suite 1600  
120 South LaSalle Street  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

December 19, 2000  
(Date)

*Robert J. Fox*

Robert J. Fox

Registration No. 27,635

PATENT

Attorney Docket No. 69570  
Date: December 19, 2000

Applicant(s): James W. Bacus et al.

Application No.:

Filed: Herewith

Title: METHOD AND APPARATUS FOR PROCESSING AN IMAGE OF A  
TISSUE SAMPLE MICROARRAY

jc825 U.S. PTO  
09/740711



**REQUEST AND CERTIFICATION**  
**UNDER 35 U.S.C. 122(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 19, 2000

Date

Robert J. Fox  
Signature

Robert J. Fox, Reg. No. 27,635  
Name and Registration Number

*This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.*

*Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.*

*If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing **within forty-five (45) days** after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).***

FITCH, EVEN, TABIN & FLANNERY  
Suite 1600  
120 South LaSalle Street  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007